01-12-64.

JAN 0 9 2004 Please type a plus sign (+) inside this box

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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#### **Application Number** 09/594,221 TRANSMITTAL Jun 14, 2000 **Filing Date FORM** Horowitz First Named Inventor Group Art Unit (to be used for all correspondence after initial filing) 2631 PHU, PHUONG M **Examiner Name** Attorney Docket Number RB1-003US Total Number of Pages in This Submission **ENCLOSURES** (check all that apply)

Fee Transmittal Form		Assignm (for an A	ent Papers Application)		After Allowance Communication to Group		
Fee Attached	Fee Attached		(s)	Sheets	Appeal Communication to Board of Appeals and Interferences		
Amendment / Reply		Licensin	g-related Papers		Appeal Communication to Group		
After Final		Petition Petition to Convert to a			Proprietary Information		
Affidavits/de	claration(s)		nal Application		Status Letter		
Extension of Time Request		Change Address		cation nce	Other Enclosure(s) (please identify below):  Return Receipt Post Card		
Express Abandonment Request			I Disclaimer t for Refund				
Information Disclosure Statement		CD, Number of CD(s)			RECEIVED		
Certified Copy of Pr Document(s)	iority	Remarks		·	JAN 1 6 2004		
Response to Missing Parts/ Incomplete Application			-		Technology Center 2600		
Response to Missing Parts under 37 CFR 1.52 or 1.53		29150			•		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm or Individual name	Steven R. Sponseller, Reg. No. 39,384						
Signature	Ha Konsell						
Date 1-09-04							

#### CERTIFICATE OF EXPRESS MAILING

I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to The Commissioner of Patents, Alexandria, VA 22313 on the below-indicated date. The Express Mail No. has also been marked on the listed items. Express Mail No.

Typed	or	printed	name

Laurie S. Morgan

Signature

aurie Morgan

Date 1/9/01

EV31693.7671

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

0 9 2004

SUBMITTED BY

Name (Print/Type)

Signature

Steven R. Sponseller

(\$)	54.	.00
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Co	omplete if Known	
Application Number	09/594,221	RECEIVED
Filing Date	Jun 14, 2000	
First Named Inventor	Horowitz	JAN 1 6 2004
Examiner Name	PHU, PHUONG M	O000
Art Unit	2631	Technology Center 2600
Attornov Docket No.	RB1-003US	7

(Complete (if applicable))

Date

Telephone (509) 324-9256

04

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
Check Credit card Money Other None	3. ADDITIONAL FEES					
Deposit Account:	<u>Large</u> E	ntity	Small	Entity		
Denosit	Fee Code	Fee	Fee Code	Fee	Fee Description	F D-14
Account Number 12-0769	1051	130	2051		Surcharge - late filing fee or oath	Fee Paid
Deposit Loo & House DLLC	1052	50	2052		Surcharge - late provisional filing fee or	
Account Lee & Hayes, PLLC					cover sheet	
The Director is authorized to: (check all that apply)	1053	130	1053		Non-English specification  For filing a request for ex parte reexamination	
Charge fee(s) indicated below Credit any overpayments	1812 : 1804	2,320 920*	1812	_,	Requesting publication of SIR prior to	
Charge any additional fee(s) or any underpayment of fee(s)	1604	920	1604	920	Examiner action	
Charge fee(s) indicated below, except for the filing fee	1805	1,840*	1805	1,840*	Requesting publication of SIR after	
to the above-identified deposit account.	1251	110	2251	55	Examiner action  Extension for reply within first month	
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month	
1. BASIC FILING FEE	1252	950	2253	475	Extension for reply within third month	
Large Entity Small Entity Fee Fee Fee Fee Fee Description Fee Paid	1254		2254	740	Extension for reply within fourth month	
Code (\$)   Code (\$)	1255		2255		Extension for reply within fifth month	
1001 770   2001 385   Utility filing fee	1401	330	2401		Notice of Appeal	
1002 340 2002 170 Design filing fee 1003 530 2003 265 Plant filing fee	1402	330	2402		Filing a brief in support of an appeal	
	1403	290	2402		Request for oral hearing	
	1451		1451		Petition to institute a public use proceeding	
		110	2452		Petition to revive - unavoidable	
SUBTOTAL (1) (\$) 0.00	1452 1453		2453		Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501		2501		Utility issue fee (or reissue)	
Fee from	1502	480	2502		Design issue fee	
Total Claims 38 -20** = 3 X 18 = 54	1503	640	2503	320	Plant issue fee	
Independent 6 - 6 = 0.00 x 86 = 0.00	1460	130	1460	130	Petitions to the Commissioner	
Multiple Dependent (c)	1807	50	1807	7 50	Processing fee under 37 CFR 1.17(q)	
Large Entity   Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt	
Fee Fee Fee Fee Fee Description Code (\$)	8021	40	8021	I 40	Recording each patent assignment per	
1202 18 2202 9 Claims in excess of 20	1809	770	2809		property (times number of properties) Filing a submission after final rejection	
1201 86 2201 43 Independent claims in excess of 3	1003	,,,	2008	, 303	(37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	205	examined (37 CFR 1.129(b))	
· ·		900	1802	385 900	, , , , , , , , , , , , , , , , , , , ,	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	300	1002	300	of a design application	
SUBTOTAL (2) (\$) 54.00	Other fee (specify)					
**or number previously paid, if greater; For Reissues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 0.00						

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Registration No.

39,384



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### TED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.	09/594.221
Filing Date	06/14/00
Inventorship	Horowitz et al.
Group Art Ûnit	2631
Examiner	Phu, Phuong M
Attorney's Docket No	
Title: Method and Apparatus for Transmitting Data wit	

## **RESPONSE TO OFFICE ACTION DATED OCTOBER 10, 2003**

To: Commissioner of Patents and Trademarks,

P.O. Box 1450

Alexandria, VA 22313-1450

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JAN 1 6 2004

Steven R. Sponseller (Tel. 509-324-9256; Fax 509-323-8979) Center 2600 From:

Lee & Hayes, PLLC

421 W. Riverside Ave., Suite 500

Spokane, WA 99201

# **Claim Amendment Summary**

#### Claims pending

At time of the Action: Claims 1-35.

After this Response: Claims 1-38.

Canceled or Withdrawn claims: none.

**Amended claims**: 1, 10, 15, and 26.

New claims: 36-38.

01/14/2004 CCHHU1 00000018 120769 09594221

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